

Submitted by the Alaska Department of Fish and Game on behalf of Board Member Kluberton

December 1, 2015

Substitute Language for Proposal 14

5 AAC 28.647. Aleutian Islands District Pacific Cod Management Plan.

5 AAC 28.647(d) is amended to read:

(d) During a state-waters season,

(1) the guideline harvest level for Pacific cod in the Aleutian Islands District west of 170° W. long. is **27** [THREE] percent of the estimated total allowable harvest of Pacific cod for the federal [BERING SEA AND] Aleutian Islands **subarea; if the guideline harvest level established under this paragraph is achieved in a calendar year, the guideline harvest level will be increased to 31 percent of the total allowable harvest of Pacific cod for the federal Aleutian Islands subarea beginning the next calendar year; if the guideline harvest level is harvested in a calendar year thereafter, the guideline harvest level will be increased to 35 percent of the total allowable harvest of Pacific cod for the federal Aleutian Islands subarea beginning the next calendar next year; if the guideline harvest level is harvested in a calendar year thereafter, the guideline harvest will be increased to a maximum of 39 percent of the total allowable harvest of Pacific cod for the federal Aleutian Islands subarea beginning the next calendar year; a guideline harvest level established under this paragraph may not exceed 15 million pounds;**

[AREA; THE GUIDELINE HARVEST LEVEL WILL BE AVAILABLE FOR HARVEST AS FOLLOWS:

(A) A MAXIMUM OF 70 PERCENT OF THE GUIDELINE HARVEST LEVEL WILL BE AVAILABLE FOR HARVEST IN THE STATE-WATERS 'A' SEASON BEFORE JUNE 10 AS FOLLOWS:

(i) IF THE STATE-WATERS 'A' SEASON GUIDELINE HARVEST LEVEL HAS NOT BEEN TAKEN BY APRIL 1, WHEN THE FEDERAL CATCHER-VESSEL TRAWL FISHERY "B" SEASON OPENS, THE COMMISSIONER WILL CLOSE, BY EMERGENCY ORDER, THE STATE-WATERS 'A' SEASON IN THE

WATERS SPECIFIED IN (c)(2) OF THIS SECTION AND IMMEDIATELY REOPEN A PARALLEL SEASON;

(ii) IF THE COMMISSIONER DETERMINES THAT AN ADEQUATE STATE-WATERS 'A' SEASON GUIDELINE HARVEST LEVEL IS AVAILABLE AFTER THE FEDERAL CATCHER-VESSEL TRAWL FISHERY "B" SEASON CLOSES, AND BEFORE JUNE 10, THE COMMISSIONER MAY REOPEN, BY EMERGENCY ORDER, THE STATE-WATERS 'A' SEASON IN THE WATERS SPECIFIED IN (C)(2) OF THIS SECTION;

(B) A TOTAL OF 30 PERCENT OF THE GUIDELINE HARVEST LEVEL PLUS ANY UNHARVESTED AMOUNT FROM THE STATE-WATERS 'A' SEASON UNDER (1)(A) OF THIS SUBSECTION MAY BE ROLLED OVER ON JUNE 10 AND AVAILABLE FOR HARVEST IN THE STATE-WATERS 'B' SEASON, EXCEPT THAT THE STATE-WATERS 'B' SEASON GUIDELINE HARVEST LEVEL MAY NOT EXCEED 70 PERCENT OF THE COMBINED STATE-WATERS 'A' AND 'B' SEASONS' GUIDELINE HARVEST LEVEL; THE GUIDELINE HARVEST LEVEL WILL BE AVAILABLE AS FOLLOWS:

(i) IF THE STATE-WATERS 'B' SEASON GUIDELINE HARVEST LEVEL HAS NOT BEEN TAKEN BY SEPTEMBER 1, WHEN THE FEDERAL CATCHER-VESSEL POT FISHERY "B" SEASON FOR VESSELS OVER 60 FEET IN OVERALL LENGTH OPENS, THE COMMISSIONER WILL CLOSE, BY EMERGENCY ORDER, THE STATE-WATERS 'B' SEASON AND IMMEDIATELY REOPEN A PARALLEL SEASON;

(ii) IF THE COMMISSIONER DETERMINES THAT AN ADEQUATE STATE-WATERS 'B' SEASON GUIDELINE HARVEST LEVEL IS AVAILABLE AFTER THE FEDERAL CATCHER-VESSEL POT FISHERY "B" SEASON FOR VESSELS OVER 60 FEET IN OVERALL LENGTH CLOSES, THE COMMISSIONER MAY REOPEN, BY EMERGENCY ORDER, THE STATE-WATERS 'B' SEASON;]

...

(3) a vessel used to harvest Pacific cod during the

(A) state-waters ['A'] season when the

(i) waters specified in (c)(1) of this section are open, with nonpelagic trawl, mechanical jigging machine, or pot gear, may not be more than 60 feet in overall length, except as specified in (ii) of this paragraph; a vessel using longline gear may not be more than 58 feet in overall length;

(ii) combined areas of (c)(1) and (2) are open, with nonpelagic trawl gear may not be more than 100 feet in overall length; a vessel using mechanical jigging machines and longline gear may not be more than 58 feet in overall length; a vessel using pot gear may not be more than 125 feet in overall length;

[(B) STATE-WATERS 'B' SEASON, FROM

(i) JUNE 10 THROUGH JULY 31, MAY NOT BE MORE THAN 60 FEET IN OVERALL LENGTH FOR ANY GEAR TYPE;

(ii) AUGUST 1 THROUGH DECEMBER 31, MAY NOT BE MORE THAN 125 FEET IN OVERALL LENGTH IF OPERATING POT GEAR AND NOT MORE THAN 60 FEET IN OVERALL LENGTH FOR ALL OTHER ALLOWABLE GEAR TYPES;]

...

5 AAC 28.647(j) is repealed:

(j) **Repealed** / /2016 [FOR THE PURPOSES OF THIS SECTION,

(1) "STATE-WATERS 'A' SEASON" MEANS THE STATE-WATERS SEASON CONDUCTED FROM JANUARY I THROUGH JUNE 9;

(2) "STATE-WATERS 'B' SEASON" MEANS THE STATE-WATERS SEASON CONDUCTED FROM JUNE 10 THROUGH DECEMBER 31.]

5 AAC 28.648(e)(1) is amended to read:

5 AAC 28.648. Dutch Harbor Subdistrict Pacific Cod Management Plan.

(e) During a state-waters season,

(1) the guideline harvest level for Pacific cod in the Dutch Harbor Subdistrict is **6.4** [THREE] percent of the estimated total allowable harvest of Pacific cod for the federal Bering Sea **subarea** [AND ALEUTIAN ISLANDS AREA];